

**DECLARATION AND POWER OF ATTORNEY WITH ADS**

As the below named inventors, we declare that we believe that we are the original and first inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**CRYSTALLINE FORMS OF RIZATRIPTAN BENZOATE**

This declaration is directed to:

\_\_\_\_ the attached application OR  
✓ the U.S. Application Serial No. 10|585,448 filed on July 7, 2006 as amended on \_\_\_\_\_ (if applicable); OR  
✓ the invention claimed and described in a PCT application No. PCT/EP05/000034 filed on January 5, 2005 as amended under PCT article 19 on \_\_\_\_\_ (if applicable).

We have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

We acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

We hereby appoint Practitioners associated with the Customer number 31,496 as our registered attorney to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for correspondence or telephone contact for the above-identified application to the address associated with the above-mentioned customer number.

All statements made herein of our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

Inventor's name: **Paul Adriaan VAN DER SCHAAE**

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Inventor's name: **Jörg BERGHAUSEN**

Signature: \_\_\_\_\_  
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Inventor's name: **Fritz BLATTER**

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Inventor's name: **Martin SZELAGIEWICZ**

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Inventor's name: **Ulrich BERENS**

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Citizen of: Germany

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